

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

DANIELS SHARPSMART, INC.,
a Delaware Corporation,

Plaintiff,

V.

**CYNTOX LIMITED LIABILITY
COMPANY,
a New York Limited Liability Company,**

Defendant.

No. 2023-cv-3536

Presiding Hon. Sarah L. Ellis

JOINT STATUS REPORT

In accordance with the minute order issued by Judge Ellis on November 9, 2023 (ECF No. 22), the parties hereby submit their joint status report.

On or about October 31, 2023, Daniels filed a Motion for a Protective Order to Stay Oral Discovery, pending resolution of its request to file a motion to dismiss and/or transfer a matter pending before the District Court for the District of New Jersey, *Cyntox MedAssure, LLC v. Daniels Sharpsmart, Inc.*, Case No. 3:23-cv-04365-RK-RLS (the “New Jersey Action”) to this Court. (ECF Doc. No. 17). On or about November 8, 2023, Cyntox filed its Response (ECF Doc. No. 21). During a November 9, 2023 telephonic conference, the Court granted Daniels’ Motion for a Protective Order and stayed oral discovery pending resolution of Daniels’ request in the New Jersey Action, and entered an order to that effect instructing the parties to submit a joint status update by January 4, 2024. (ECF Doc. No. 22).

Since that time, the Court in the New Jersey Action, referred the parties to mandatory mediation. The parties have accordingly agreed to mediate all claims before the Honorable Karen M. Cassidy, A.J.S.C. (Ret.), including both those claims asserted in the pending matter before this Court, and those asserted in the New Jersey Action. The parties agreed to serve confidential

mediation statements to Judge Cassidy by January 5, 2024, and to mediate the claims from the Illinois and New Jersey matters collectively on January 31, 2024.

At this time, given the upcoming mediation and the ongoing settlement discussions, the parties respectfully request that discovery remain stayed in this matter pending resolution of the upcoming mediation, or any potential settlement, and that any subsequent status report be set after the January 31, 2024 mediation. The parties are prepared to offer any additional information the Court may require, and are available for a telephonic conference at the Court's convenience.

Dated: January 4, 2024

Respectfully submitted,

By: /s/ Griffin H. Sloan

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